



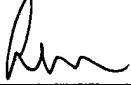
DOCKET NO: C1039.70075US00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Krieg et al.  
Serial No: 10/613,916  
Confirmation No: unknown  
Filed: July 3, 2003  
For: IMMUNOSTIMULATORY NUCLEIC ACID MOLECULES  
  
Examiner: unknown  
Art Unit: unknown

**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 12th day of December, 2003.

  
Alan W. Steele, M.D., Ph.D., Reg. No. 45,128

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

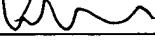
Transmitted herewith are the following documents:

- [X] Request to Substitute Form 1449 in Supplemental Information Disclosure Statement Filed  
December 10, 2003  
[X] Substitute Form PTO-1449  
[X] Return Receipt Postcard

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617)720-3500, Boston, Massachusetts.

No fee is believed to be due. If a fee is required, the Commissioner is hereby authorized to charge the amount to the account of the undersigned, Deposit Account No. 23/2825. A duplicate of this sheet is enclosed.

Respectfully submitted,  
*Krieg et al., Applicant*

By:   
Alan W. Steele, M.D., Ph.D., Reg. No. 45,128  
Wolf, Greenfield & Sacks, P.C.  
600 Atlantic Avenue  
Boston, Massachusetts 02210-2211  
Telephone: (617) 720-3500

Docket No. C1039.70075US00

Date: December 12, 2003

xNDDx



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Alan W. Steele, M.D., Ph.D., Reg. No. 45,128

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**REQUEST TO SUBSTITUTE FORM 1449 IN SUPPLEMENTAL INFORMATION  
DISCLOSURE STATEMENT FILED ON DECEMBER 10, 2003**

Sir:

Please substitute the enclosed Form 1449 for the Form 1449 submitted in error with the Supplemental Information Disclosure Statement (IDS) mailed December 10, 2003. It has come to our attention that the header of the Form 1449 as submitted December 10, 2003, erroneously misidentifies the application to which it pertains. The substitute Form 1449 submitted herewith merely corrects the identification material in its header.

The enclosed substitute Form 1449 and the erroneously submitted Form 1449 list the identical references. Therefore, the references originally submitted with the IDS on December 10, 2003, are the intended references and are not resubmitted herewith.

To avoid any doubt, the mislabeled Form 1449 and references submitted therewith on December 10, 2003, in connection with application 10/613,916 are not to be associated with application 10/140,013 indicated in the header of the mislabeled Form 1449.

If there are any questions, the Patent Office is requested to telephone the Applicants' representative at the number shown below.

Respectfully submitted,  
Krieg et al., *Applicant*

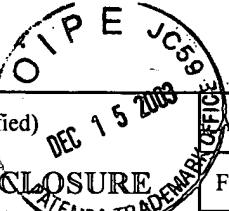
By: 

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Telephone: (617) 720-3500

Docket No. C1039.70075US00

Date: December 12, 2003

**XNDDX**



<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>				APPLICATION NO.: 10/613,916	ATTY. DOCKET NO.: C1039.70075US00
				FILING DATE: July 3, 2003	CONFIRMATION NO.: unknown
				APPLICANT: Krieg et al.	
Sheet	1	of	2	GROUP ART UNIT: unknown	EXAMINER: unknown

**U.S. PATENT DOCUMENTS**

Examiner's Initials	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication or of issue of Cited Document MM-DD-YYYY
		Number	Kind Code		
	A2	2001/0044416	A1	Davis et al.	11-22-2001
	A3	2003/0055014	A1	Bratzler	03-20-2002
	A4	2002/0064515	A1	Krieg et al.	05-30-2002
	A5	6,406,705	B1	Davis et al.	06-18-2002
	A6	2002/0091097	A1	Bratzler et al.	07-11-2002
	A7	6,429,199	B1	Krieg et al.	08-06-2002
	A8	2002/0156033	A1	Bratzler et al.	10-24-2002
	A9	2002/0164341	A1	Davis et al.	11-07-2002
	A10	2002/0165178	A1	Schetter et al.	11-07-2002
	A11	2002/0198165	A1	Bratzler et al.	12-26-2002
	A12	2003/0026782	A1	Krieg et al.	02-06-2003
	A13	2003/0026801	A1	Weiner et al.	02-06-2003
	A14	2003/0050261	A1	Krieg et al.	03-13-2003
	A15	2003/0050263	A1	Krieg et al.	03-13-2003
	A16	2003/0050268	A1	Krieg et al.	03-13-2003
	A17	2003/0087848	A1	Bratzler et al.	05-08-2003
	A18	2003/0091599	A1	Davis et al.	05-15-2003
	A19	2003/0100527	A1	Krieg et al.	05-29-2003
	A20	2003/0104523	A1	Lipford et al.	06-05-2003
	A21	2003/0139364	A1	Krieg et al.	07-24-2003
	A22	2003/0148976	A1	Krieg et al.	08-07-2003
	A23	2003/0148316	A1	Lipford et al.	08-07-2003
	A24	2003/0166001	A1	Lipford	09-04-2003
	A25	2003/0181406	A1	Schetter et al.	09-25-2003
	A26	2003/0191079	A1	Krieg et al.	10-09-2003
	A27	6,653,292	B1	Krieg et al.	11-25-2003

**FOREIGN PATENT DOCUMENTS**

Examiner's Initials	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document (not necessary)	Date of Publication of Cited Document MM-DD-YYYY	Translation (Y/N)
		Office/Country	Number	Kind Code			
	B1	WO	98/32462	A1		07-30-1998	
	B2	WO	98/40100	A1		09-17-1998	
	B3	WO	99/56755	A1		11-11-1999	
	B4	WO	99/58118	A2		11-18-1999	
	B5	WO	99/61056	A2		12-02-1999	
	B6	WO	00/06588	A1		02-10-2000	

FORM PTO-1449/A and B (Modified)		APPLICATION NO.: 10/613,916	ATTY. DOCKET NO.: C1039.70075US00
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>		FILING DATE: July 3, 2003	CONFIRMATION NO.: unknown
		APPLICANT: Krieg et al.	
Sheet	2	of	2
		GROUP ART UNIT: unknown	EXAMINER: unknown

	B7	WO	00/14217	A3		03-16-2000	
	B8	WO	00/67023	A1		11-09-2000	
	B9	WO	01/22972	A2		04-05-2001	
	B10	WO	01/22990	A2		04-05-2001	
	B11	WO	02/069369	A2		09-06-2002	

#### OTHER ART – NON PATENT LITERATURE DOCUMENTS

Examiner's Initials	Cite No	Include name of the author (in CAPITAL LETTERS) title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, relevant page(s), volume-issue number(s), publisher, city and/or country where published.	Translation (Y/N)

EXAMINER	DATE CONSIDERED
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#EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

\*a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. \_\_\_, filed \_\_\_, and relied upon for an earlier filing date under 35 U.S.C. 120 (continuation, continuation-in-part, and divisional applications).

[NOTE - Must provide a copy of any patent, publication, other information listed, even if it was previously submitted to, or cited by, the U.S. Patent Office in an earlier application, unless the earlier application is identified by the IDS and is relied upon for an earlier filing date under 35 U.S.C. §120, and the copy was provided in the earlier application.]